

ESTTA Tracking number: **ESTTA409759**Filing date: **05/18/2011**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**Petition for Cancellation**

Notice is hereby given that the following party requests to cancel indicated registration.

**Petitioner Information**

Name	Mariska#s Designs		
Entity	Corporation	Citizenship	Nevada
Address	432 Stanwick Street Brentwood, CA 94513 UNITED STATES		

Attorney information	Maria Crimi Speth Jaburg & Wilk, P.C. 3200 North Central Avenue Suite 2000 Phoenix, AZ 85012 UNITED STATES mcs@jaburgwilk.com Phone:602-248-1089
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**Registration Subject to Cancellation**

Registration No	3848193	Registration date	09/14/2010
Registrant	SYEIRA, INC. 920 S. OLIVE STREET LOS ANGELES, CA 90015 UNITED STATES		

**Goods/Services Subject to Cancellation**

Class 025. First Use: 2009/06/24 First Use In Commerce: 2009/09/24

All goods and services in the class are cancelled, namely: Dress shirts; Skirts and dresses; Sweaters; Suits; Coats; Jackets; Bathing suits; Jogging suits; Footwear; Hats; Waist belts; Crop tops; Halter tops; Tank tops; Headwear; Scarves; Socks

**Grounds for Cancellation**

Priority and likelihood of confusion	Trademark Act section 2(d)
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**Mark Cited by Petitioner as Basis for Cancellation**

U.S. Application/ Registration No.	NONE	Application Date	NONE
Registration Date	NONE		
Word Mark	MARISKA		
Goods/Services	Jewelry		

Attachments	Mariska Designs.pdf ( 3 pages )(14283 bytes )
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## **Certificate of Service**

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by First Class Mail on this date.

Signature	/mariacrimispeth/
Name	Maria Crimi Speth
Date	05/18/2011

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

IN THE MATTER OF TRADEMARK REGISTRATION NO.: 3848193  
TRADEMARK: MARISKA  
REGISTERED: September 4, 2010

MARISKA’S DESIGNS,

Petitioner

Cancellation No.  
[not yet assigned]

v.

SYEIRA, INC.,

Registrant.

**PETITION TO CANCEL**

Petitioner Mariska’s Designs, (“Petitioner”), having an address of 432 Stanwick Street, Brentwood, CA, 94513, United States, hereby Petitions the Trademark Trial and Appeal Board (“TTAB”) to cancel U.S. Trademark Registration No. 3848193.

The grounds for the cancellation are as follows:

1. Petitioner has used MARISKA in interstate commerce in connection with jewelry continuously and exclusively since 2001.
2. Petitioner filed a fictitious business name application on April 2, 2004 for Mariska’s Designs in Martinez, California.

3. Registrant Syeira, Inc. (“Registrant”) is the owner of U.S. Trademark Registration No.: 3848193 registered September 14, 2010, for the trademark MARISKA for dress shirts, skirts and dresses, sweater, suits, coats, jackets, bathing suits, jogging suits, footwear, hats, waist belts, crop tops, halter tops, tank tops, headwear, scarves, socks, in Class 3.

4. To the best of Petitioner’s knowledge, the name and address of the Registrant is Syeira, Inc., 920 S. Olive Street, Los Angeles, CA 90015.

5. Registrant has taken the position that Petitioner’s use of MARISKA’S DESIGNS is likely to be confused with Registrant’s trademark MARISKA.

6. On information and belief, Registrant began using MARISKA after the date Petitioner began using MARISKA’S DESIGNS. Thus, Petitioner is the senior user.

7. Petitioner has been and continues to be damaged by the U.S. Trademark Registration No. 3848193.

WHEREFORE, Petitioner requests that the TTAB grant this Petition and cancel U.S. Trademark Registration No. 3848193.

Respectfully submitted this 18<sup>th</sup> day of May, 2011.

**JABURG & WILK, P.C.**

s/Maria Crimi Speth  
Maria Crimi Speth  
Attorneys for Petitioner

Copy of the foregoing  
mailed this 19<sup>th</sup> day of  
May, 2011, to:

Syeira, Inc.  
920 South Olive Street  
Los Angeles, California 90015

Syeira, LLC  
100 North Brand Boulevard  
Suite 314  
Glendale, California 91203

Registrant

s/Debra Gower